

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAERSK OIL TRADING PANAMA S.A.
AND MAERSK LINE A/S,

Plaintiffs,

vs.

GLENCORE LTD.,

Defendant.

21-cv-1063 (CM)

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

WHEREAS, Plaintiffs Maersk Oil Trading Panama S.A. and Maersk Line A/S (collectively, “Maersk”) commenced this action against Defendant Glencore Ltd. (“Glencore”) through the filing of the Complaint on February 5, 2021; and

WHEREAS, Maersk and Glencore are currently litigating the disputes subject to this action in a separate action filed in New York State Supreme Court and have agreed to litigate all disputes in one forum at this time for purposes of judicial economy;

IT IS HEREBY STIPULATED AND AGREED as follows:

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Maersk and Glencore hereby stipulate to the dismissal, without prejudice, of this action;
2. To the extent Maersk re-files its Complaint, Maersk and Glencore stipulate and agree that such subsequent filing shall be deemed to relate back to the original filing of the Complaint on February 5, 2021, but that all of Glencore’s other defenses and arguments with respect to the Complaint are expressly preserved.

Dated: April 7, 2021

FREEHILL HOGAN & MAHAR LLP

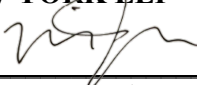
By: _____

Don P. Murnane, Jr.
Michael J. Dehart
80 Pine Street, 25th Floor
New York, New York 10005
Tel: (212) 425-1900
Fax: (212) 435-1901
Email: murnane@freehill.com
dehart@freehill.com

*Attorneys for Plaintiffs Maersk Oil
Trading Panama S.A. and Maersk Line A/S*

**HERBERT SMITH FREEHILLS
NEW YORK LLP**

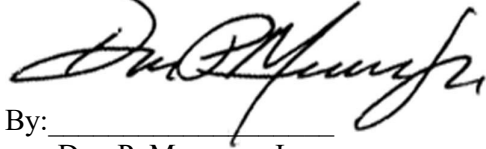
By: _____


Peter J. Behmke
Michael P. Jones
Barron M. Flood
450 Lexington Avenue
New York, New York 10017
Tel: (917) 542-7600
Fax: (917) 542-7601
Email: Peter.Behmke@hsf.com
Michael.Jones@hsf.com
Barron.Flood@hsf.com

Attorneys for Defendant Glencore Ltd.

Dated: April 7, 2021

FREEHILL HOGAN & MAHAR LLP



By: _____

Don P. Murnane, Jr.

Michael J. Dehart

80 Pine Street, 25th Floor

New York, New York 10005

Tel: (212) 425-1900

Fax: (212) 435-1901

Email: murnane@freehill.com

dehart@freehill.com

HERBERT SMITH FREEHILLS

NEW YORK LLP

By: _____

Peter J. Behmke

Michael P. Jones

Barron M. Flood

450 Lexington Avenue

New York, New York 10017

Tel: (917) 542-7600

Fax: (917) 542-7601

Email: Peter.Behmke@hsf.com

Michael.Jones@hsf.com

Barron.Flood@hsf.com

Attorneys for Plaintiffs Maersk Oil

Trading Panama S.A. and Maersk Line A/S Attorneys for Defendant Glencore Ltd.